

**REMARKS**

Claims 2, 8-10 16, 17, 23-25 and 34-36 are all the claims pending in the present application, claims 1, 3-7, 11-15, 18-22, 26-33 and 37-40 having been canceled as indicated herein.

In the previous Office Action dated December 5, 2008, claims 2, 8-10, 12, 13, 16, 17, 23-25, 27, 28, 34-36 and 38-40 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Landais (U.S. Patent Application Publication No. 2002/0080758).

Applicants submit that Landais does not disclose or suggest anything relating to the EGPRS packet channel request message.

Further, Applicants submit that the EGPRS packet channel request as disclosed in document 3GPP TS 04.60, which is cited at least in Landais is not used by a mobile station for the purpose/requirements of signalling data transfer (contrary to what is claimed in the present application). For example, version V8.6.0 (200-10) of document 3GPP TS 04.60 as cited at paragraph [0027] of Landais will be discussed below:

Indeed, in document 3GPP TS 04.60, there is disclosed:

- (e.g., page 148) a description of the use of the EGPRS packet channel request, only for one phase access or short access or two phase access:

“The EGPRS PACKET CHANNEL REQUEST message is sent by EGPRS capable Mobile Stations MSs in cells supporting EGPRS ... to perform EGPRS one-phase access request, EGPRS short access request or EGPRS two-phase access request, for all other purposes (page response, cell update etc.) the standard PACKET CHANNEL REQUEST message shall be used.”

- In addition, see in particular page 41, for a description of the use of one phase access or short access or two phase access, for user data only:

“If the mobile station intends to use the TBF to send user data, it shall request two phase access if the requested RLC mode is unacknowledged mode. If the requested RLC mode is acknowledged mode and the amount of data can fit in 8 or less than 8 RLC/MAC blocks, the mobile station shall indicate Short Access as access type. The number of blocks shall be calculated assuming channel coding scheme CS-1 for standard GPRS TBFs, and MCS-1 for EGPRS TBFs. If the requested RLC mode is acknowledged mode and the amount of data to send takes more than 8 RLC/MAC blocks, the mobile station shall request either one phase access or two phase access.”

- In addition, see in particular page 17 for a distinction between the two possible types of data: user data and signalling data:

“A RLC data block is the part of a RLC/MAC block carrying user data or upper layers’ signalling data.”

At least based on the points set forth above, Applicants maintain that Landais does not anticipate the claimed invention.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Application No.: 10/634,766

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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